



Policy: 1161
Procedure: 1161.07
Chapter: Inspections and Investigations
Rule: Cite and Release

Effective: 7/21/08
Replaces: 1160.13
Dated: 07/21/06

Purpose:

The Arizona Department of Juvenile Corrections (ADJC) Inspections and Investigations Division (IID) expedites the processing of persons accused of criminal acts that do not require immediate incarceration.

Rules:

1. General Provisions.
 - a. **IID INVESTIGATORS** shall use the Cite and Release procedures only in the case of misdemeanor (criminal, criminal traffic, or petty) offenses;
 - b. The **IID INVESTIGATOR** shall have probable cause as with making any other arrest whether committed in his/her presence or not;
 - c. The **IID INVESTIGATOR** has the option of having the suspect fingerprinted, processed through Arizona Fingerprint Identification System (AFIS), and photographed to establish or confirm identity prior to being cited and released;
 - d. **SUSPECTS COMMITTING MISDEMEANORS AND FELONIES STEMMING FROM A COMMON INCIDENT** shall not be eligible for Cite and Release on those misdemeanor charge(s).
2. Procedure/Criminal, or Petty Offenses: The **IID INVESTIGATOR** shall:
 - a. Determine if the suspect is eligible for Cite and Release in accordance with this procedure;
 - b. Cite the suspect into court giving the suspect five days to comply using the correct day and time as specified by the court;
 - c. Have the suspect sign the citation;
 - d. Include all citation information on the report and attach the citation to it;
 - e. Include all citation information on the report.
3. Exceptions to Cite and Release. The **IID INVESTIGATOR** shall use the following exceptions to Cite and Release:
 - a. When the suspect refuses to sign the citation or refuses to provide sufficient information to complete the citation, i.e., name, address, DOB, etc.;
 - b. When the suspect has an outstanding warrant or has a record of Failure to Appear (FTA);
 - c. When the suspect's identity or residence cannot be properly determined, i.e., the suspect does not have any form of identification on him/her to verify his/her name, address, etc.;
 - d. When the suspect poses an immediate danger to the public, or it is likely that the violation shall continue.

Signature Date

7-2-08

Approved by Process Owner

John Dempsey,
Inspections and Investigations Chief Administrator

Effective Date

7/21/08

Approved by

Michael D. Branham, Director